REMARKS/ARGUMENTS

The Office Action of March 8, 2010, has been carefully reviewed and these remarks are responsive thereto. Claims 1-6, 8-13, and 15-26 remain pending. Claims 7 and 14 were previously canceled without prejudice or disclaimer. Reconsideration and allowance of the instant application are respectfully requested.

Information Disclosure Statement

In the Office Action of March 4, 2009, the Office indicated that Applicants' information disclosure statement filed on December 3, 2008, fails to comply with the provisions of 37 C.F.R. 1.97 and 1.98, and MPEP § 609, because dates are not provided for Reference 1, "Reference Manual for the TNT Products, Table of Contents," and Reference 2, "Introducing TNT." Applicants have resubmitted References 1 and 2 with relevant dates and respectfully request that these references be accepted and considered as Applicants' information disclosure statement is now in compliance with the relevant provisions.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 2, 8, 9, 15, 16, 19 and 22-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,870,683 to Wells et al. ("Wells") in view of U.S. Patent No. 6,128,001 to Gonsalves et al. ("Gonsalves"). Claims 3, 4, 10, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wells in view of Gonsalves and further in view of alleged admitted prior art (Specification – p. 8, Table 2, row 5) ("AAPA"). Claims 5, 12, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wells in view of Gonsalves and further in view of Bickmore et al., "Web Page Filtering and Re-Authoring for Mobile Users" ("Bickmore"). Claims 6, 13, 17, 18 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wells in view of Gonsalves and Bickmore, and further in view of "GIF Construction Set Professional Homepage" ("GCSPH") and "GIF Construction Set Professional Manual" ("GCSPM"). Applicants respectfully traverse these rejections for at least the following reasons.

Claim 1 recites, among other features, "automatically applying changes to other images in the time-based sequence based on changes to the individual pixels of the bit-map pattern."

The Office Action acknowledges at page 4 that Wells fails to teach or suggest such a feature. Instead, to show this claim 1 feature the Office Action relies on Gonsalves at col. 5, lines 49-52, which states that "[t]he steps of the method can be repeated automatically using the general purpose computer 20, and the graphics editor need not manually define a Bezier form for each frame." Office Action p. 5. Specifically, the Office Action contends that the cited portion of Gonsalves describes automatically applying changes because "a manual approach which is then automated is considered to read on including an automated approach." Office Action p. 15. However, although Gonsalves states that "the steps of the method can be repeated automatically using the general purpose computer 20," the method being referred to is the method of manually defining a Bezier form for each video frame; not a method of *applying* changes to other images in the sequence, as alleged in the Office Action. This is evidenced by the example operation of the method described in Gonsalves at col. 5, line 53 through col. 6, line 18. Notably, Gonsalves states the following:

> After the first source frame has been processed, the graphics editor identifies key frames within the sequence of frames, and uses the key frames to move the alpha matte to new locations in other frames through the sequence of frames so that the moving frisbee image remains within the moving alpha matte. The computer 20 then color changes the remaining frames in the sequence by repeating the above described steps.

Gonsalves at col. 6, lines 10-17. Accordingly, applying similar color changes to other frames in the sequence under Gonsalves requires that the user (e.g., graphics editor) manually move the alpha matte to new locations in the other frames using the key frames and "verify that the image undergoing the color change remains within the alpha matte as it moves during the frame sequence." See Gonsalves col. 5, lines 47-59.

That Gonsalves lacks any teaching or suggestion of automatically applying changes to other images in the sequence is further evident from the fact that Gonsalves also does not describe the claim 1 feature of receiving user instructions to change *individual pixels* of a bit-map pattern. Instead, Gonsalves describes "approximately identifying an *object* in an image, and changing a color of the object *only* when the object is covered by an alpha matte." Gonsalves at col. 1, lines 60-63 (emphasis added). In Gonsalves, "[t]he graphics editor does not need to circumscribe the object [intended to undergo color change] in the source frame exactly as in

conventional methods. Rather, the graphics editor generates an alpha matte that *approximately* covers the object in the source frame." Gonsalves at col. 2, lines 55-59 (emphasis added). Thus, automatically applying changes to other images in the sequence does not comport with the teaching of Gonsalves since Gonsalves describes changes to an approximately identified object of an image, and not exact pixels of the image. As such, notwithstanding whether a combination of Wells and Gonsalves would have been proper (which Applicants do not concede), Gonsalves fails to remedy the deficiencies of Wells with respect to claim 1. Claim 1 is therefore allowable at least for the reasons discussed above.

Independent claims 8 and 19 recite similar features as discussed above with respect to claim 1, and are thus allowable over the asserted combination of Wells and Gonsalves at least for similar reasons as claim 1. Dependent claims 2, 9, 15, 16, and 22-26 are allowable at least based on the allowability of their respective base claims, and further in view of the additional features recited therein.

For example, claim 23 recites "receiving a user instruction to add movement to the at least one image." To show this feature, the Office Action points to Wells at col. 8, lines 23-43, which describes "a Scroll Text Animation wherein a text string . . . is scrolled across the display." Office Action p. 8. However, nowhere does the cited portion of Wells teach or suggest receiving any user instruction to *add* movement, as claimed. (emphasis added). Indeed, Wells at col. 8, lines 23-43, describes examples of animations, with one such animation being the Scroll Text Animation, which Wells does not describe as the result of any user instruction to add movement to a previously stored animation. As such, notwithstanding whether a combination of Wells and Gonsalves would have been proper, the combination of Wells and Gonsalves does not teach or suggest all of the features of claim 23.

The remaining dependent claims are allowable at least based on the allowability of their respective base claims, and further in view of the additional features recited therein, because the additionally cited art does not cure the aforementioned deficiencies in Wells and/or Gonsalves.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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